

REMARKS

Claims 1, 6-19, and 21 are pending upon entry of this amendment, of which claims 8, 13 and 15-17 have been withdrawn from consideration. Claims 2 and 4 have been cancelled.

Claims 1, 6, 9, 14 and 21 have been amended. No new matter has been presented.

Claims 1, 6, 7, 9-12, 14, 19 and 21 are rejected under 35 USC 102(b) as being anticipated by Rosa. This rejection is respectfully traversed.

Claim 1, as amended, recites “along the non-planar sinuous path on at least said first side portion, a height of the stored hose with respect to the floor surface increases from the front portion of the main body to a peak above the first wheel and decreases from the peak towards the rear portion of the main body.” This feature is not disclosed by Rosa.

The Examiner asserts that the claimed “front of the main body” is relative to a location of the user and therefore corresponds to a portion of the main body where one of the side wheels is located depending on the location of the user. Claim 1, as amended, requires the wheels to be mounted on the respective first and second side portions. The claim front portion therefore does not correspond to a portion of the device where a side wheel is mounted.

Referring to Fig. 2 of Rosa, which shows a side portion of the cleaning appliance, it is clear that the height of the hose with respect of the floor surface on the side portion of the main body increases from the front portion of the cleaning appliance towards the back portion. The height of the hose in Rosa’s cleaning appliance does not increase from the front portion towards a peak above the wheel and then decrease from the peak towards the rear portion, as required by claim 1. Accordingly, Rosa fails to anticipate claim 1.

Claims 6, 7, 9-12, 14, 19 and 21 depend from claim 1 and are also allowable.


Claim 18 is rejected under 35 USC 103(a) as being unpatentable over Rosa in view of Tsuda. This rejection is respectfully traversed. Claim 18 depends from claim 1. Tsuda fails to overcome the failure of Rosa to teach the features of claim 1 discussed above. Accordingly, claim 18 is allowable.

In view of the above, this application is in condition for allowance. The Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **424662010300**.

Dated: September 17, 2009

Respectfully submitted,

By 

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